

**Enrolled Minutes of the Second Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular Meeting  
Monday, January 25, 2016**

*Study Session.* The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, January 25, 2016 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*Silent Roll Call:* Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The Fire Chief and the Town Council discussed the pending purchase of a demonstrator to replace the current older Fire Rescue vehicle. The Chief suggested that a trade-in of the current Rescue vehicle be included.

The study session ended at 7:00 O'clock p.m.

*Regular meeting.* The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, January 25, 2016 at 7:04 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark Herak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer. The Town Clerk-Treasurer temporarily was presiding.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Esq., Town Attorney; Bob Johnsen, Assistant Public Works Director; Mark Knesek, Operations Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; and Cecile Petro, Redevelopment Director were present.

*Also present:* Randy Bowman, Assistant Inspector for Electrical Code; and Ed Dabrowski IT Director (Contract) were also present.

**Special Orders:**

1. **Special Presentation:** Presentation of Appreciation Plaque to Mark Herak for his service as the 64<sup>th</sup> President of the Town Legislative Body.

The Town Council President presented a wooden plaque with an engraved gavel to Councilor Mark Herak, to commend and appreciate his service as the sixty-fourth Town Council President.

**Minutes of the Previous Meetings:** The minutes of the regular meeting of 11 January 2016 were approved by general consent.

**Unfinished Business and General Orders:**

1. **Resolution No. 2016-04:** A Resolution Approving an Employment Agreement with Operations Director Mark Knesek.

Councilor Herak moved the passage and adoption of Resolution No. 2016-04. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution and the employment agreement were adopted.

**TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2016-04**

A RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT WITH OPERATIONS DIRECTOR MARK KNESEK

**WHEREAS**, On December 14, 2015 the Town Council adopted Ordinance No. 1607.1578-C, amending the Wage and Salary Ordinance and establishing the new position of Operations Director in the Public Works Agency of the Town of Highland;

**WHEREAS**, On December 28, 2015, upon the recommendation of the Public Works Director, the Town Council approved the appointment and hire of Mark Knesek, 8118 Grace Street, Highland, Indiana, to the new position of Operations Director in the Public Works Agency of the Town of Highland;

**WHEREAS**, The Town desires to receive the benefit of Mark Knesek's knowledge, training and experience by recognizing his earlier municipal service and employment and by retaining his employment as the Town's Operations Director and to fix his form of compensation, benefits and other terms of employment,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA** as follows:

**Section 1.** That an employment agreement between the Town of Highland and Mark Knesek, dated 25 January 2016, an exhibit of which is attached and incorporated herein, is hereby approved in each and every respect;

**Section 2.** That the Town Council President and Clerk-Treasurer are hereby authorized to sign an employment agreement with Mark Knesek, as adopted and approved by this resolution.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**EMPLOYMENT AGREEMENT**

THIS AGREEMENT made and entered into this 25<sup>th</sup> day of January 2016, to become effective January 1, 2016, by and between the Town of Highland, Indiana, a municipal corporation (hereinafter referred to as the "Town" or "Employer"), and Mark Knesek (hereinafter referred to as "Knesek" or "Employee") to witness the following:

**WHEREAS**, On December 28, 2015 the Town of Highland through its Town Council approved the appointment and hire of Mark Knesek to the position of Operations Director for the Town of Highland;

**WHEREAS**, The Town desires to receive the benefit of Knesek's knowledge, training and experience by recognizing his earlier municipal service and employment and retaining his employment as the Operations Director in the Public Works Agency and to fix his form of compensation, benefits and other terms of employment as set forth hereinafter.

**NOW, THEREFORE**, for valuable consideration, including the mutual promises of the parties, it is

agreed as follows:

1. EMPLOYMENT

Employer hereby employs, engages and hires Employee as its *Operations Director*. Employee hereby accepts employment, engagement and hire as *Operations Director*. Employee agrees that he will at all times faithfully and to the best of his ability, experience and talent, perform all of the duties that may be required of and from him pursuant to the express and implicit terms hereof to the reasonable satisfaction of the Employer. Employee shall make recommendations for improving operations of the Employer. Employee shall make available to Employer all information of which Employee shall have knowledge that will be of benefit to Employer.

2. COMPENSATION

(A) Employer shall pay Employee and Employee shall accept from Employer compensation, which shall be governed by the Wage and Salary Ordinance to be adopted each year or from time to time by the Employer.

(B) Employee agrees that the TOWN has the right and obligation to withhold federal, state, and other taxes from each payment in accordance with laws generally applicable to management personnel. In addition, Employer shall pay Employee and Employee shall accept from Employer compensation, which shall be governed by the Compensation and Benefits Ordinance, commonly known as the Employee's Handbook, as may be amended from time to time, except as may be provided in this agreement.

3. DUTIES

Employee accepts continuing employment as Operations Director of the Town. The duties and responsibilities of the Operations Director are more fully set forth and described in a job description incorporated herein by reference and made a part hereof.

4. CONTRACTING AUTHORITY

Notwithstanding anything herein to the contrary or the provisions of Chapter 3.05 of the Highland Municipal Code, Employee shall not have the right to make any lease or rental agreement, contract for supplies or services or commitments for and on behalf of the Employer in excess of fifteen thousand (\$15,000) dollars without first obtaining the approval of the relevant governing board of jurisdiction.

5. SUPERVISION

Unless a written order or ordinance of the Town Council provides otherwise, the Public Works Director shall provide direction and supervision of the Operations Director and hold the Operations Director responsible for the effectiveness of his performance and responsibilities.

6. NO CONFLICT OF INTEREST

Employee shall devote time, attention, knowledge and skill solely to the responsibility and interest of Employer. Employee shall be entitled to all of the benefits and income arising from the service and advice of Employer. Employee shall not undertake any activity which would be in conflict with his employment or inimical to the best interests of the Employer. Employee may engage in other employment with the written consent of Employer, which consent shall not be unreasonably withheld. Employee agrees to report promptly any future situation that involves or might appear to involve Employee in any conflict with the best interest of Employer.

7. HOURS OF WORK

It is recognized Employee is a salaried employee and must devote time outside the normal office hours on business for the Employer, and to that end, Employee shall be allowed to establish an appropriate work schedule to satisfy the responsibilities of his position. Employee will be an "exempt confidential employee" as that term is defined by the Fair Labor Standards Act, exempt from overtime compensation standards, but Employee shall submit a time report of a form acceptable to the Indiana State Board of Accounts accounting for at least 80 hours per pay period.

8. INSURANCE

Employee shall receive health insurance, dental insurance, life insurance, workers compensation public official's liability insurance with coverage and to limits equivalent to all other employees of the Employer who have managerial responsibilities.

9. RETIREMENT PLANS

Employee shall be provided a retirement plan by the Employer from the Indiana Public Employees' Retirement Fund (PERF). The Employer's contribution to PERF shall be equivalent to contributions made on

behalf of other employees of the Employer who have managerial responsibilities. In addition, the Employer will withhold from Employee's gross salary an amount that the Employee may designate up to the annual limits authorized by the Internal Revenue payable to a 457 Deferred Compensation Plan.

10. PAID LEAVE, HOLIDAYS, LONGEVITY and VACATION

Employee shall receive the leave benefits granted by the Employer to its employees prescribed by the Town's Employee Handbook, which are then applicable to employees who have managerial responsibilities. **Notwithstanding the provisions of the Compensation and Benefits Ordinance, commonly known as the Employee Handbook, the following shall apply:**

(A) *Vacation Benefit.* The Employer grants to Employee a vacation leave benefit of up to **twenty (20) days** in calendar year 2016 and each calendar year thereafter, as if the employee had completed ten or more year's service with the municipality. After completion of twenty years continuous service with the Town, the employee will be subject to the provisions of the Compensation and Benefits Ordinance. Employee shall notify the Public Works Director, with approval, of his scheduled vacation as far in advance as possible.

(B) *Paid Holidays.* Employer grants to the Employee all the paid holidays to which any regular employee would be entitled with 30 or more days of regular full-time employment with the town, effective from January 1, 2016.

(C) *Paid Personal Leave Days.* Employer grants to the Employee the personal leave days benefit to which any regular employee would be entitled with one year or more of regular full-time employment with the town, effective from January 1, 2016.

(D) *Longevity.* Employer grants to the Employee the longevity benefit to which any regular employee would be entitled having completed thirty-six (36) or more years of regular full-time employment with the town, effective from January 1, 2016.

In all other respects, the provisions of the Compensation and Benefits Ordinance shall apply to the employee.

11. TERM

Employee shall serve at the pleasure of the Employer, subject to the provisions of termination as provided hereinafter and further subject to the limitations of applicable state law. This Agreement shall remain in full force and effect from January 1, 2016 for an indefinite term unless amended or terminated as provided hereafter.

12. TERMINATION

TERMINATION BY THE EMPLOYER

A. Employee's employment with the Employer shall be "at will". The Public Works Director may terminate this Agreement and Employee's employment at any time, for any reason or for no reason, provided the termination decision shall be subject to formal ratification by the Town Council. If the Employer terminates this Agreement and Employee's employment at a time when Employee is willing and able to perform the duties of the Operations Director, then the provisions of Subparagraphs B, and C below shall apply.

B. All salary payable to Employee under this Agreement shall immediately cease, except that the Employer shall pay to Employee all salary and benefits earned but not paid as of the date of termination. In addition, Employer shall pay to Employee all amounts due and owing for vacation and separation leave. Employer shall make such payments not later than the next regularly scheduled pay period payday after the date of termination.

C. Notwithstanding anything herein to the contrary, should Employee be unable to perform the duties and obligations of this Agreement by reason of illness, accident or other disability beyond his control, Employee's disability benefits shall be provided pursuant to the Town's Employee Compensation and Benefits Ordinance otherwise known as the Employee's Benefit Handbook.

TERMINATION BY THE EMPLOYEE

A. Employee may terminate this Agreement at anytime, for any reason or for no reason, by delivering to the Public Works Director a written notice of resignation not later than four (4) months prior to the effective date of the termination. If Employee terminates this Agreement, then the provisions of subparagraph B below shall apply.

B. On the date of termination all salary payable to the Employee under this Agreement shall cease, except that the Employer shall pay to Employee all salary and benefits earned but not paid as of the date of termination. In addition, the Employer shall pay to Employee all amounts due and owing for vacation leave and separation leave. The Employer shall make such payments not later than the next regularly scheduled pay period payday after the date of termination.

13. DEATH DURING EMPLOYMENT

If Employee dies during the term of this Agreement, the Employer shall pay to the widow of Employee, or if he is not then survived by a wife, to the surviving child or children of Employee, all compensation, and any accrued benefits, which would otherwise be payable to Employee up to the end of the month in which his death occurs; provided, however, that in the event Employee is not survived by his spouse or child or children, the amount shall be payable to his estate.

14. GENERAL PROVISIONS

A. This instrument contains the entire Agreement of the parties. It shall continue in force until it is changed or modified by an instrument in writing executed with the same formality or until such time Employee is terminated or resigns as provided herein.

B. This Agreement may not be assigned by either party without the written consent of the other party.

C. If any provision or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

D. This Agreement may be amended only with the written consent of both parties.

E. This Agreement shall be governed by the laws of the State of Indiana.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, LAKE COUNTY, INDIANA

\_\_\_\_\_  
Bernie Zemen, President

\_\_\_\_\_  
Mark Knesek, Employee

ATTEST:

\_\_\_\_\_  
Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

2. **Resolution No. 2016-05:** Resolution Of The Town Council Of Town Of Highland, Lake County, Indiana Approving The Written Order Of The Highland Plan Commission Issued Pursuant To IC 36-7-14-16(A) That Approved Resolution No. 2015-18 Of The Highland Redevelopment Commission Which Amended The Declaratory Resolution That Designated The Highland Commercial Corridors Allocation Area For Purposes Of Tax Increment Financing, In Order To Expand Said Allocation Area Provisions Of The Declaratory Resolution For Certain Real Property Previously Removed From The Allocation Area By Amending Declaratory Resolution, As Forwarded To The Town Council For Its Action Pursuant To IC 36-7-14-16(B).

Councilor Herak moved the passage and adoption of Resolution No. 2016-05. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The Resolution was adopted.

TOWN OF HIGHLAND  
PLAN COMMISSION RESOLUTION NO. 2015-01 AND  
WRITTEN ORDER APPROVAL RESOLUTION  
RESOLUTION NO. 2016-05

RESOLUTION OF THE TOWN COUNCIL OF TOWN OF HIGHLAND, LAKE COUNTY, INDIANA APPROVING THE WRITTEN ORDER OF THE HIGHLAND PLAN COMMISSION ISSUED PURSUANT TO IC 36-7-14-16(a) THAT APPROVED RESOLUTION NO. 2015-18 OF THE HIGHLAND REDEVELOPMENT COMMISSION WHICH AMENDED THE DECLARATORY RESOLUTION THAT DESIGNATED THE HIGHLAND COMMERCIAL CORRIDORS ALLOCATION AREA FOR PURPOSES OF TAX INCREMENT FINANCING, IN ORDER TO EXPAND SAID ALLOCATION AREA PROVISIONS OF

**THE DECLARATORY RESOLUTION FOR CERTAIN REAL PROPERTY PREVIOUSLY REMOVED FROM THE ALLOCATION AREA BY AMENDING DECLARATORY RESOLUTION, AS FORWARDED TO THE TOWN COUNCIL FOR ITS ACTION PURSUANT TO IC 36-7-14-16(b)**

**WHEREAS**, The Highland Redevelopment Commission (the "Redevelopment Commission") of the Town of Highland, Lake County Indiana (the "Town") as the governing body of the Department of Redevelopment of the Town on July 15, 2015, did approve and adopt its Resolution No. 2015-18, entitled "*A Resolution Of The Town Of Highland, Indiana Redevelopment Commission Amending The Declaratory Resolution, Which Designated The Highland Commercial Corridors Redevelopment Area, Approved The Redevelopment Plan For The Highland Commercial Corridors Redevelopment Area, And Designated The Highland Commercial Corridors Allocation Area For Purposes Of Tax Increment Financing, In Order To Expand Said Allocation Area Provisions Of The Declaratory Resolution For Certain Real Property Previously Removed From The Allocation Area By Amending Declaratory Resolution*" (the "Amending Declaratory Resolution"); and

**WHEREAS**, On July 16, 2015, the Commission submitted said Amending Declaratory Resolution and supporting data to the Highland Plan Commission (the "Plan Commission") pursuant to IC 36-7-14-16(a) for: (i) consideration whether the Amending Declaratory Resolution conforms to the plan of development for the Town and (ii) determination to approve or disapprove said Amending Declaratory Resolution by issuance of a written order approved by resolution; and

**WHEREAS**, The Plan Commission did, on December 16, 2015 adopt Plan Commission Resolution No. 2015-01 as its Written Order that: (i) determined that the Amending Declaratory Resolution conforms to the plan of development for the Town, (ii) approved Amending Declaratory Resolution, and (iii) designated said resolution as its Written Order of the Plan Commission approving the Amending Declaratory Resolution, all as required by the applicable provisions of IC 36-7-14-16(a) (the "Plan Commission Order"); and

**WHEREAS**, The provisions of IC 36-7-14-16(b) prohibit the Redevelopment Commission from proceeding until the Plan Commission Order is approved by the legislative body of the Town, being the Town Council of the Town; and

**WHEREAS**, On December 17, 2015, the Plan Commission submitted its Plan Commission Order which included the Amending Declaratory Resolution and supporting data to the Town Council for legislative approval pursuant to IC 36-7-14-16(b); and

**WHEREAS**, The Town Council as the legislative body of the Town now seeks to approve the Plan Commission Order in order to permit the Redevelopment Commission to proceed with a public hearing on the Amending Declaratory Resolution for consideration of a confirming resolution,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the Town Council concurs with the Plan Commission Order dated December 16, 2015 that the Amending Declaratory Resolution conforms to the plan of development of the Town;

**Section 2.** That the Plan Commission Order approving the Amending Declaratory Resolution as submitted to the Town Council is approved in all respects;

**Section 3.** That the Exhibit marked A accompanying this resolution is made a part of and incorporated into this resolution;

**Section 4.** That this Resolution shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council in conformance with applicable law;

**Section 5.** That the Clerk-Treasurer of the Town is hereby requested to: (i) file a copy of this resolution with the minutes of this public meeting of the Town Council, (ii) submit and file a copy of this resolution with the Plan Commission; and (iii) submit and file a copy of this resolution with the Redevelopment Commission, as applicable to the approval process of the Amending Declaratory Resolution.

DULY RESOLVED and ADOPTED this 25<sup>th</sup> day of January 2016 by the Town Council of the Town of Highland, Lake County, Indiana having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/ Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 36-5-6-5)(IC 33-42-4-1(6))

3. **Works Board Order No. 2016-03:** An Order Of The Works Board Accepting And Approving A Local Public Agency (LPA) Project Coordination Contract Between The State Of Indiana, Through Its Department Of Transportation And The Town Of Highland Through Its Town Council For 45th Avenue And Erie-Lackawanna Pedestrian And Bike Path Hawk Pedestrian Crossing System Improvement Project.

By general consent, this matter was removed from the agenda for possible future consideration.

4. **Proposed Ordinance No. 1611:** An Ordinance to Amend Chapter 10.35 of the Highland Municipal Code Relating to Motor Vehicles and Traffic, Providing for the Enforcement Thereof, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency.

Councilor Herak introduced and moved the consideration of Ordinance No. 1611 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1611 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The Ordinance was adopted at the same meeting of introduction.

**ORDINANCE No. 1611  
 of the  
 TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE to AMEND CHAPTER 10.35 of the HIGHLAND MUNICIPAL CODE RELATING to MOTOR VEHICLES and TRAFFIC, PROVIDING for the ENFORCEMENT THEREOF, REPEALING ALL ORDINANCES in CONFLICT THERewith, and DECLARING an EMERGENCY**

**WHEREAS**, The Traffic Safety Commission has conducted a study and investigation as to the amendments to Chapter 10.35 of the Highland Municipal Code within the Town of Highland;

**WHEREAS**, The Traffic Safety Commission at its meeting of January 5., 2016 did recommend certain amendments to the Highland Municipal Code particularly regarding Chapter 10.35 Parking Schedule, and Schedule III, Parking Prohibited at All Times, Section 10.35.040;

**WHEREAS**, I.C. 9-21-1 *et sequitur* authorizes the Town of Highland, through its Town Council as a local authority to adopt local regulations regarding traffic; and

**WHEREAS**, I.C. the Town Council is interested in amending the Parking Schedule to protect the public health, safety and welfare with regard to traffic and parking control; and

**WHEREAS**, It would be and is in the best interest of the Town of Highland, and in the best interest of the public health and safety to amend the following section of the Highland Municipal Code,

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That Section 10.35.040, Schedule III "Parking prohibited at all times" of the Highland Municipal Code be amended by **adding** the following:

Street	Location	Side	Ord. No.	Date Passed
Prairie Avenue	From 45 <sup>th</sup> Avenue to Industrial Drive	East and West Sides	1611	
Prairie Avenue	From 45 <sup>th</sup> Avenue to Azalea Drive	East Side	1611	
Prairie Avenue	North of 45 <sup>th</sup> Avenue to entrance of Port D'Leau Condominiums	West Side	1611	

**Section 2.** That the proper officer be hereby directed to erect appropriate signs, properly citing the traffic or parking regulation herein, to support the enforcement of the provisions herein and to further remove those signs where appropriate as well;

**Section 3.** That all provisions of ordinances in conflict with the provisions hereof are hereby repealed.

**Section 4.** That this ordinance shall become and be in full force and effect from and after its adoption, passage and two weeks following its publication in the manner prescribed by law and until its subsequent amendment or repeal by proper ordinance.

Introduced and Filed on the 25<sup>th</sup> Day of January 2016. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 25<sup>th</sup> Day of January 2016, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

**Bernie Zemen, President (IC 36-5-2-10)**

**ATTEST:**

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO**  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Authorizing the proper officer to publish legal notice of a public hearing** to consider additional appropriations in the amount of \$36,000 in the Public Safety Income Tax Fund; in the General Improvement Fund in the amount of \$5,000 and in the Municipal Cumulative Street Fund in the amount of \$25,000.

Councilor Herak moved, seconded by Councilor Kuiper to authorize the proper officer to publish legal notice as indicated. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The legal notice was authorized.

6. **Authorization to hold a special meeting on February 1, 2016** in order to make certain findings, authorize the purchase of a demonstrator Fire Rescue Vehicle at a cost savings under the special purchasing provisions of IC 5-22-10-5 and Section 3.05.065 (F) and to allow solicitation by the Clerk-Treasurer to request financing proposals to support the capital lease purchasing of the asset. Immediately following the meeting the standing Study Session would begin, all pursuant to IC 2.05.130 (E) of the Highland Municipal Code.

Councilor Kuiper moved that the Town Council set a Special Meeting for Monday, February 1<sup>st</sup> at 7:00 p.m. for the purpose of making certain findings and to formally authorize the purchase of a demonstrator Fire Rescue Vehicle under the special purchasing provisions of IC 5-22-10-5 and Section 3.05.065(F) of the Highland Municipal Code, at which time the Town Council will also approve the financing by capital lease purchase; further, that such other matters as may be deemed necessary or desirable be allowed; still further, that the regular study session convene immediately following the Special Meeting. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The Special Meeting was authorized.

**Comments or Remarks from the Town Council:**

**(For the Good of the Order)**

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak thanked the Town Council and the Clerk-Treasurer for his plaque and the opportunity to serve as president.

Councilor Herak also expressed affirmation to the family of Rich Hawkins, who was a former Police Chief and public works employee of the Town of Highland, as Mr. Hawkins was in Hospice care.

Councilor Herak acknowledged the Assistant Public Works Director and the Operations Director. The Assistant Public Works Director offered a brief report on the Red Zone Sanitary Sewer Assessment for the Department of Public Sanitation. It was also noted that a meeting with representatives from the Town of Highland and the City of Hammond Sanitary Districts was convened in the Region V Offices of the United States Environmental Protection Agency.

- **Councilor Dan Vassar:** • *Liaison to the Park and Recreation Board.*

Councilor Vassar expressed condolences to the Colin Peterson, Streets Supervisor, on the death of his mother.

Councilor Vassar acknowledged the Parks and Recreation Superintendent, who reported that new park website was operational, several months ahead of schedule.

- **Councilor Steve Wagner:** • *Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner was absent.

- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison.* • *Fire Department, Liaison* • *Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who reported on several fire incidents in which Munster, and Schererville also participated.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison* • *IT Liaison* • *Redevelopment Commission Liaison.*

The Town Council President acknowledged the Redevelopment Director, who reported on new façade grant application for the former Southside Bantam Store, being renovated to host a Farmer's Insurance Agency Office, 8411 Kennedy Avenue, Highland .

The Town Council President acknowledged the IT Consultant who reported on the status of recently ordered computer hardware.

The Town Council President also expressed condolences to Colin Peterson on the death of his mother.

#### **Comments from Visitors or Residents:**

1. Dale Winchester, 4587 Whitcomb Avenue, Highland began to read a letter aloud, expressing his unhappiness with the manner of his discharge from employment from the Public Works Department (Agency) of the Town of Highland.

The Town Attorney instructed Mr. Winchester that his reading involved personnel issues and was inappropriate in this forum.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed

on the pending accounts payable docket, covering the period January 12, 2016 through January 25, 2016 and the payroll docket for January 8, 2016. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket was allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$337,556.78; Motor Vehicle Highway and Street (MVH) Fund, \$34,107.00; Law Enforcement Continuing Education, Training, and Supply Fund, \$2,698.10; Corporation Bond and Interest Exempt Fund, \$1,713.20; Corporation Bond and Interest Fund, \$460,000.00; Flexible Spending Account Agency Fund, \$1,135.28; Information and Communications Technology Fund, \$6,666.55; Solid Waste District Grant Fund, \$14,323.95; Special Events Non Reverting Fund, \$5,000.00; Police Pension Fund, \$62,387.50; General Improvement Fund, \$24.00; Traffic Violations and Law Enforcement Agency Fund, \$4,942.00; Gaming Revenue Sharing Fund, \$213.30; Public Safety Income Tax Fund, \$117,359.29; Total: \$1,046,413.75.**

**Payroll Docket for payday of January 8, 2016:**

**Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,340.01; Building and Inspection Department, \$7,170.25; Metropolitan Police Department, \$110,337.40; Fire Department, \$2,848.26; Public Works Department (Agency), \$62,912.30 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$198,608.22.**

**Announcement of Study Session.** Council President Zemen announced that the Town Council would be convened in a study session immediately following the plenary business meeting in order to interview prospective candidates for certain boards and commissions.

**Adjournment of Plenary Meeting.** Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 25, 2016 was adjourned at 7:30 O'clock p.m.

*Study Session.* The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular plenary meeting on Monday, January 25, 2016 at 7:35 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. *Interview with Prospective Candidates for Appointment to Boards and Commissions.*

(A) *Bill Leep, 8407 Cottage Grove Place, Highland,* met with the Town Council to discuss his interest in serving on the Redevelopment Commission. The Town Council discussed with Mr. Leep his impressions regarding ways and means to develop the downtown. The Town Council discussed with Mr. Leep any possible conflicts of interest.

- (B) *Greg Turich, 9336 4<sup>th</sup> Place, Highland, a Highland Firefighter*, met with the Town Council to discuss his interest in serving on the Plan Commission. The Town Council discussed with Mr. Turich his impressions regarding ways and means to develop the downtown. The Town Council discussed with Mr. Turich any possible conflicts of interest. It was noted that because he was an employee of the Town, he could only be a legislative appointee. It was further noted that Councilor Kuiper expressed a desire to step down from his appointment on the Plan Commission.
2. The Town Council discussed the current Redevelopment Allocation Areas and the Highland Downtown Corridor area in particular. The discussion included a discussion on the status of the Town Theatre renovation Redevelopment project. The discussion included a consideration of some of the social media discussion pages and the sentiments regarding the project exhibited there.
  3. The Town Council discussed some short and medium range goals for the Town including possible construction of a town administrative building to be located in the downtown either near or above site of the Central Fire Station, or at or near the southwest intersection of Highway Avenue and Kennedy Avenue. The discussion included objectives and strategies for downtown arts district and the possible changes needed for the zoning code to encourage or support certain residential development attractive to young persons and young families.

**Adjournment of Study Session.** There being no further business to be discussed, the Study Session following the regular plenary meeting of the Town Council of Monday, January 25, 2016 was adjourned at 8:40 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

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